

E-filing User Guide

Indiana Statewide E-filing System



E-file Indiana
courts.in.gov/efile

The most current version of this guide can be found at <http://courts.in.gov/4313.htm>

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About this guide

This guide is:

- ✓ a general description of some of the court rules that apply to electronic filing. Any court filing may be subject to any number of court rules, orders, statutes, or other sources of legal authority that do not appear in this guide.
- ✓ provided for the convenience of E-file Indiana users, and the information in this guide should not be relied upon as legal authority.
- ✓ published by the Indiana Supreme Court Office of Judicial Administration and subject to periodic updates.

Who should use this guide

This guide is for anyone wishing to electronically file documents in an Indiana court that accepts electronic filings and in cases eligible for electronic filing.

If you are going to court without a lawyer, you may file electronically, and this guide will help you do so. However, it is always recommended that you seek advice from an attorney if you are going to court in any matter. This guide is not a substitute for legal advice or a substitute for a thorough reading of the rules of court that apply to your case. See "[Learn the rules.](#)"

What this guide does not cover

This guide does not cover technical instruction for how to use e-filing software, though it does include technical advice for preparing documents according to Indiana's court rules. Indiana's e-filing system allows you to choose the e-filing software you prefer; training and support are offered by the software provider you choose. Learn more under "[Choose your service provider.](#)"

Definitions

Case management system (CMS): The system of networked software and hardware used by any Indiana court that may receive, organize, store, retrieve, transmit, and display all relevant documents in any case before it.

Conventional filing: The physical non-electronic presentation of documents to the clerk or court.

DPI: Dots per inch, also known as PPI or pixels per inch is a measure of display image sharpness.

Electronic filing (E-filing): A method of filing documents with the clerk of any Indiana Court by electronic transmission utilizing the Indiana E-Filing System. E-filing does not include transmission by facsimile or by email.

E-filing manager (EFM): The centralized entity approved by the Supreme Court that receives and transmits all e-filing submissions between the E-filing Service Provider(s) and the appropriate Case Management System.

E-filing service provider (EFSP): The organization and software selected by a User and approved by the Supreme Court to receive and transmit all E-Filing submissions between the User and the Indiana E-Filing System

Electronic service (E-service): E-service is a method of serving documents by electronic transmission on any User in a case via the Indiana E-filing System.

Envelope: An electronic submission to a court that contains one or more filings.

Indiana E-filing system (IEFS): The system of networked hardware, software, and service providers approved by the Supreme Court for the filing and service of documents via the internet, into the Case Management System(s) used by Indiana Courts.

Initial filing: The action that begins the case.

MB: Abbreviation for the unit of measure "megabyte." A megabyte is a unit of computer memory or data storage capacity.

Notice of Electronic filing (NEF): The notice generated automatically when a document is submitted and transmitted through the Indiana E-Filing System, which sets forth the time of

transmission, the name of the court, User, party or attorney transmitting the document, the title of the document, the type of document, and the name of the court, attorney, party, or other person meant to receive the Notice.

OCR: Abbreviation for "optical character recognition," which is the conversion of an image that contains words into text. For example, a scanned paper document is a series of images of the pages. Running OCR on the document tells the computer to interpret the shapes of the letters in the image to text that can be copied and searched.

Public access terminal: A publicly accessible computer provided by clerk or court that allows a member of the public to access the Indiana E-Filing System and public court records.

Related party (may also be called "associated party"): The party filing the document. The related party shows in the case management system as the "filed by" party.

Service: Official notification of a filing in a court case to another party or attorney in the case. For example, to serve divorce papers on a spouse.

Service contact: A party, attorney or agent who is notified of filings to a case. This is a person whose email address and other identifying information has been entered into the e-filing system by a registered user.

Subsequent filing: Documents filed into a case that already exists.

User agreement: An agreement in a form approved by the Office of Judicial Administration that establishes obligations and responsibilities of the User within the Indiana E-Filing System.

User: A Registered User or Filing User.

- **Registered user:** A person or entity with a user ID and password assigned by the Indiana Electronic Filing Service or its designee who is authorized to use the Indiana Electronic Filing Service for the electronic filing or service of documents
- **Filing User:** Includes court and clerk staff, unrepresented litigants, attorneys, or an agent whom an attorney has expressly designated to make a filing on the attorney's behalf and who has an Indiana Electronic Filing System user ID, password, and limited authority to file documents electronically

Getting started with e-filing

Indiana's statewide e-filing system is used to file documents online in nearly all types of cases in the state's trial and appellate courts. The system is available 24/7/365, except when it must be taken offline for scheduled maintenance.

Subscribe to updates and alerts about the e-filing system at <http://courts.in.gov/4295.htm>.

Learn the rules

Before you begin e-filing, review the relevant rules of court.

- The rules for e-filing in a trial court can be found in [Trial Rule 86](#).
- There is not a specific rule for e-filing in the Supreme Court and Court of Appeals. Instead, because e-filing is required in these courts beginning July 1, 2016, refer to the [Indiana Appellate Rules](#).
- There is not a specific rule for e-filing in the Tax Court. Instead, because e-filing is required in this court beginning July 1, 2016, refer to the [Indiana Tax Court Rules](#).

You must also be familiar with the rules of court that apply to your case generally. See the Indiana Rules of Court at <http://courts.in.gov/rules>.

Which courts allow e-filing

E-filing is available in all three appellate courts, and on July 1, 2016 will become mandatory for attorneys in cases that have already been opened (also called "subsequent filings").

Unrepresented litigants are not required to electronically file in appeals but may do so.

E-filing is available in the trial courts of several counties, and is expected to be statewide by the end of 2018. On July 1, 2016, e-filing will become mandatory in cases that have already been opened (also called "subsequent filings") for attorneys in the Hamilton Circuit and Superior Courts.

For a current list of counties that allow e-filing, see <http://courts.in.gov/4329.htm>.

Which case types can be e-filed

E-filing is available in many civil and criminal case types in the trial courts and is available in all case types in the appellate courts.

The most up-to-date information about which types of trial courts cases are eligible for electronic filing is posted at <http://courts.in.gov/4329.htm>.

Some case types may be initially filed online. All case types eligible for e-filing allow subsequent filings online.

Choose your service provider

Indiana's e-filing system offers you a range of e-filing software service providers to choose from. Before you can e-file in a case, choose which provider is right for you or your firm and register with that company.

The list of certified e-filing providers in Indiana is growing, and each provider has slightly different features. Most providers offer subscriptions for a fee, but you can always e-file at no cost (other than applicable filing fees or service fees) using the state's e-filing provider (efile.incourts.gov).

Learn about the various providers at <http://courts.in.gov/4274.htm>.

Get training and support

The quality and availability of training and support are features you should consider when choosing an e-filing provider.

You should participate in any training offered by your provider before you e-file your first case to avoid errors in your filing. You can find training and support information for each provider at <http://courts.in.gov/4315.htm>.

Set up your account

The e-filing provider you select has instructions on how to create a user account.

Choosing an account type

If you are going to court without a lawyer, are a process server, or are a landlord or tenant, you may wish to set up an **individual account** (may also be called pro se or independent) account, if this type of account is offered by your provider.

Otherwise, it is recommended that you choose a **firm account**, which gives you the ability to have multiple users file from one account. Even if you are a solo practitioner, this type of account allows you to add a paralegal or other assistant who may file on your behalf.

Multiple accounts

You may have more than one user account for the e-filing system. This may be useful for filers such as a solo practitioner who works on contract with another firm, public defender agency, or prosecutor's office. Since each user account is an email address, if you file on behalf of multiple organizations, you will need to use a different email addresses to establish each account.

Usernames and passwords

You are required to have a unique username and password. **Usernames and passwords should never be shared**, even among filers from the same law firm.

You are responsible for the use of your username and password, and documents filed with your username and password are presumed to have been filed by you. If your password is compromised, immediately change the password and notify your e-filing provider.

Creating service contacts

When you set up a firm account, you will need to create "service contacts" for your firm. These are people in your firm who can be added to a case so that they receive service of filings in the case. You may only add a service contact to your firm's account with the expressed permission of the contact.

If an attorney withdraws from a case, you must remove that attorney's contact information from the list of service contacts for that case.

Public Service List

When you create a service contact, you have the ability to make the contact public, which adds the person to the "Public Service List." The Public Service List is a directory of people who have agreed to receive by email service of filings in trial and appellate cases. By designating a contact as "Public" you agree to accept e-service through that contact.

Who you may add to the list is limited:

- You may add yourself.
- If you have a firm account with authorization to manage other contacts, you may add members of your firm.
- You may not add other parties, regardless of whether you have their permission. They are responsible for adding themselves to the list.

If the party you wish to serve is not already on the public service list, you may not serve them by email. Instead, you must execute service conventionally.

All of Indiana's e-filing providers offer a way for users to add a contact to the public service list. Instructions for this vary by provider, so if you need help with this feature, please seek support through the provider you've chosen to use.

You can search the Public Service List by contact name, email address or firm name as well as partial information such as "indy.gov" to search for anyone with an email address in the @indy.gov domain or "atg.in.gov" to search for people in the Office of the Attorney General.

Fee payment

If a filing fee is due, it must be paid at the time of filing. You may set up multiple payment accounts inside your firm account to pay fees online. Different e-filing providers offer different payment types. The free e-filing provider accepts Visa, MasterCard, Discover credit and debit cards.

You can also request a fee waiver, but it will need to be approved by the court unless exempted automatically by statute.

Timing of filings

You may e-file at any time except during scheduled downtimes. The filed date and time are shown on the Notice of Electronic Filing associated with each document and is determined by the date and time zone in which the specific court is located. E-filing must be completed before midnight to be considered filed that day.

If you encounter a technical error in the Indiana e-filing system that prevents you from filing or serving a document by deadline, you may file a motion with the court requesting the document be deemed filed or served on the date attempted. As the filer, you have the burden of showing there was a technical error, and time will only be adjusted if the error is attributed to failure of the Indiana e-filing system.



IMPORTANT! Failure to file or serve a document by deadline for reasons such as your Internet connection failed, your computer or software failed, or other reasons not attributed to the Indiana e-filing system is not a valid reason for time adjustments.

In the event the Indiana e-filing system does not permit a filing due to technical error, you may submit the filing conventionally. See [Trial Rule 86\(N\)](#).

Confidential information in filings

As an e-filer, you are responsible for ensuring that information which is considered confidential under [Administrative Rule 9](#) does not appear in public court documents. If confidential documents are not properly designated or redacted when filed, they may be rejected and you may be sanctioned by the court or incur liability to third parties.

- A guidance on Administrative Rule 9 is available at courts.in.gov/files/efiling-ar9-guidance.pdf

When you redact confidential information from a document you must make sure the confidential information cannot be retrieved. Redaction methods that were sufficient for paper documents will not always be sufficient for electronic documents.



IMPORTANT! Covering text with a black rectangle, highlighting it in black, reducing its size, or changing its color to white do not constitute redaction. You must also ensure that there is no confidential information in the document properties, also called metadata.

If you have a filing in which some parts are public and some parts are confidential, you must split the confidential portion into a separate PDF file. Content with different security classifications must be contained in separate documents, but may be submitted within the same envelope. For more information about “envelopes,” see the training and help documentation from your e-filing service provider.

Preparing documents to be e-filed

- [See appendix – Preparing documents for e-filing](#)

Avoiding filing errors

Here are some important tips about the mechanics of filing documents with any of the e-filing providers:

Requesting a specific court

When you initiate a case electronically and you wish to request a specific court, the filing document must indicate the court by starting the cause number with the court identifier. Otherwise, the filing will be processed in accordance with the county’s local rules. Court identifiers are outlined in Administrative Rule 8. Please note that not all Courts allow the filer to select the Court. The local rules of the Court should be reviewed before filing in that Court system.

Example:

STATE OF INDIANA)	IN THE HAMILTON COUNTY COURTS
)SS:	
COUNTY OF HAMILTON)	CAUSE NO. 29D03

Upload a lead document

Each filing must contain one lead document. If the lead document is too large, the document can be filed in sections using the attachment option. See below for examples of when to add attachments.

Filing codes

The filing code is the type of document you're submitting, such as a Notice of Claim, a Summons, or an Appearance.

Each pleading should be its own Filing Code with appropriate documents attached. For example, an appearance should be a separate filing code and not part of the initial petition filed.

Exhibits should be filed as attachments to the original filing code.

If you are filing a document—such as a summons or letters—that requires updating by the clerk, you must select the "Proposed Notice" filing code. The documents should be attached as lead documents. Do not attach proposed notice documents to other pleadings.

If you are filing a proposed order with a motion, the proposed order must be submitted using a separate filing code called "Proposed Order." The proposed order will be the lead document on that filing code. Do not attach a proposed order to other pleadings.

Serving filings to other parties

In general, when you electronically file in a case, you must electronically serve any documents to any party or attorney who is on the Public Service List. See "[Public Service List](#)" for more information. Further:

- When serving a filing that initiates a case, follow Trial Rule 86(G)(2) [effective July 1, 2016]
- When serving a filing in a case that already exists (also called a "subsequent filing") follow Trial Rule 86(G)(3) [effective July 1, 2016]

You cannot electronically serve to anyone who isn't on the Public Service List, or, in existing cases, isn't listed as a service contact in the e-filing system. In that event you should serve conventionally.

If you are e-filing to a case, you are required to accept e-service in that case. If you wish to receive service electronically in cases initiated by other parties, you should add yourself to the Public Service List.



IMPORTANT! You must ensure the email address you use for the e-filing system and Public Service List is functional and checked regularly. Failure to do so means you won't receive service on cases. Updating your email on the Indiana Courts Portal does not automatically update your email in Odyssey or the e-filing system at this time.

When you receive service by email, the message will contain a link to the filing. This link is temporary, and will only be available for 35 days unless your service provider offers additional time. If you do not download the document within the time allowed, you may request a copy from the Clerk of Court for an additional fee.



IMPORTANT! You are responsible for downloading a copy of the document you receive by e-service and for your own recordkeeping. Do not rely on the e-filing system for document management or access to court documents.

Although the e-service notification email is forwarded to the recipient at the time of the e-service submission, the document(s) attached to the e-filing will not be file stamped until the Clerk has processed and accepted it for filing.

When e-service is used within the e-filing service, service is complete upon transmission of the document as confirmed by the Notice of Electronic Filing associated with the document. The three (3) day extension of time for when a party is served by mail does not apply when service is made by e-service.

Cancelling a filing

You can cancel a filing after you've submitted it, but only before the clerk opens it for review. For specific instructions on how to complete this action, [get support from your e-filing service provider](#).

Types of emails you'll receive

As your filing progresses, emails will be sent to your inbox and the inbox of anyone you've designated to receive an administrative copy (e.g., paralegal, assistant, etc.). Keep your eyes open for messages with the following subject lines after you've submitted a filing (actual messages will include case numbers too):

- Notice of Service
- Copy of Service
- Accepted Filing Notification
- Notification of Failed Filing Submission
- File & Serve Filing Returned for Correction Notification

E-filing in the Appellate Courts

This section concerns e-filing in the appellate courts only, but topics not covered here are covered in other sections of the guide. You must also read the [Rules of Appellate Procedure](#) or the [Tax Court Rules](#) to understand procedure in the appellate courts.

Mandatory e-filing

As of July 1, 2016, **all documents filed by an attorney** in a case already opened in the Indiana Supreme Court, Court of Appeals, or Tax Court must be filed electronically.

If you have good cause to be exempt from this requirement, you must file a motion requesting an exemption in each of your pending cases.

Due dates

Electronic filing has no impact on the calculation of due dates.

This is because in the Appellate Rules, the time you have to file in a case includes non-business days—though if a due date falls on a non-business day, it always extends to the next business day. So, just because you can e-file on a non-business day does not mean you have to.

See [Appellate Rules](#) 25, 45, 54, 57 and 63.

Briefs and appendices

For information on preparing brief and appendix documents for e-filing, see "[Preparing documents to be e-filed](#)."

Beginning July 1, 2016, appellant's appendix may be filed on or before the date on which the appellant's brief is filed.

But if you file an appendix at the same time you are filing the brief, if file sizes allow, it should be submitted as an attachment or attachments to the brief in the same filing.

- Upload the brief as the lead document with the "Brief/Appendix/Addendum" filing code
- Upload one or more volumes of the appendix as attachments with the same filing code

If the brief and appendix volumes exceed the 35 MB limit of an envelope, the appendix should be submitted in multiple envelopes.

Orders and judgments

An appealed judgment, opinion or order should be submitted in the **same filing** with its corresponding brief:

- The brief should be the lead document
- The appealed judgment should be an attachment

Transfer petitions

You may electronically file a petition to transfer with the Court of Appeals or a petition for review with the Tax Court.

The Supreme Court will not open a new case on appeal unless it grants the petition. Until the Court issues an order granting or denying your petition, there will not be a record in the Supreme Court on the online docket. Instead, you'll find the case in the court where you filed the petition (i.e., in the Court of Appeals or Tax Court).

Number of copies

The number of copies requirements previously found in Appellate Rule 23(C) have been eliminated. You need to file only one copy of any document regardless of whether the document is e-filed or conventionally filed.

Confidential information

Beginning January 1, 2015, in some instances, you will need to file a Notice of Exclusion regarding confidential information in your case that should not be available for public access. See the [Order Amending the Appellate Rules](#), specifically Appellate Rule 23(F) on Confidentiality of Court Records on Appeal and the new Notice of Exclusion forms.

Preparing documents to be e-filed

Formatting documents

All documents must be submitted as PDF

- **Ideal:** Save or export the source document to PDF format electronically
- **Acceptable:** Scan paper documents to PDF

Unlike scanning a document, exporting to PDF preserves the text of the source document, making it searchable and resulting in smaller file size. Many word processing programs can save a document in PDF format, and there are several free websites that will convert files to PDF.

Scanning should only be used if you do not have an electronic source document. You may also combine a scanned document with an exported document if necessary.

Scanned PDF requirements

Use the following settings when scanning

- Resolution of 300 DPI (dots per inch, also PPI or pixels per inch)
- **For black and white:** Scan to PDF or Tagged Image File Format with Group 4 compression (TIFF with G4 compression)
- **When color is essential:** Scan to PDF, JPG or PNG format, 8 bit (bpp or bits per pixel), with lossy data compression
- If scanning to TIFF, JPG, or PNG, convert to PDF before uploading
- Always apply optical character recognition (OCR)

Ability to view and legibility

- Every document must be viewable in its entirety with PDF viewing software.
- Corrupt or incomplete files may be rejected, so verify that your files are complete and not corrupted.
- Documents must be readable, including only legible text and viewable images. You are responsible for making sure the scanning process does not diminish the readability of the document.

Limits on file size

The e-filing system allows you to submit multiple documents inside a single “envelope.” For example, a motion, a supporting affidavit, and a proposed order can all be submitted as separate documents inside one envelope.

- **25 MB** limit on each document
- **35 MB** total limit on envelope

Filings that exceed these limits cannot be submitted. If a document exceeds 25 mb, you must break it into separate documents with each file clearly labeled in order (“Part 1 of 3,” “Part 2 of 3,” etc.) in the comments field.

Note that in the appellate courts, each volume of an appendix to a brief is limited to the lesser of 250 pages or **20 MB**.

Page size and layout

- 8.5” x 11” page size
- Portrait orientation
- 1” top margin free of text and other markings
- Pages in each PDF file numbered consecutively

In appellate briefs only, each page, except for the front page, must have a left-justified header that states the:

- Document name
- Name of the party filing

For example: "Brief of Appellant Joe Smith."

Though an appendix to an appellate brief may need to be separated into multiple PDF files to meet length and file size requirements, its pages should be numbered consecutively from the first document to the last and include a single table of contents for the entire appendix.

Prohibited items

Documents must not contain:

- Encryption, password protection, or other features that limit access
- Unreadable words or images
- Invalid or corrupted tables
- Embedded files
- Any other form of information that cannot be readily viewed in its entirety with PDF viewing software

Bookmarks and hyperlinks

Bookmarks help the reader navigate a PDF, so they are welcome, though not required.

You may include hyperlinks in any document, but make sure you:

- ☑ Link only to websites that are public, not requiring registration or subscription
- ☑ Do not use hyperlinks as a substitute for standard citations to law or opinions
- ☑ Display the URL in the text. **DO:** <http://courts.in.gov> **DON'T:** [Indiana courts website](#)

Bullet points and other special characters

Sometimes special characters in a document don't convert well into PDF format and may cause the document to be rejected. This is unusual and can typically be fixed by tweaking the settings in your PDF software or converting to PDF by another method. The system can process any character that can be typed on a standard English keyboard, including these symbols:

§

®

©

™

¶

€

£

File names

- Must not exceed 100 characters in length

Filings with documents that do not comply may be rejected.

Non-conforming documents

Occasionally, it will not be feasible to convert a document to electronic format that complies with the requirements in this section. Before filing these documents, you must electronically file a motion for leave to file them conventionally.

Signatures

All e-filed documents must include a person's signature. Sign a document using either:

- A graphic image of a handwritten signature
- An actual signature on a scanned document
- The indicator "/s/" followed by the person's name

A document that is signed and e-filed is subject to the terms and provisions of [Ind. Trial Rule 11](#). You may include the signature of other attorneys in documents e-filed with the court, but in doing so you represent to the court that any such signature is authorized.